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09/489,596	01/20/2000	Todd R. Collart	IACTP018	6028

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EXAMINER
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MA, JOHNNY

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/489,596	Applicant(s) COLLART ET AL.	
	Examiner Johnny Ma	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-34 and 36-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-34 and 36-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 21-34 and 36-44 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument that the Farber et al. (US 5,819,284) is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, the Farber et al. reference is reasonably pertinent to the particular problem with which the applicant was concerned. Claim 25 recites "wherein the received information relating to the keyword is based upon a user profile." The Farber et al. reference discloses providing information to user from a remote database associated to a user profile (Farber 4:34-55) wherein the system receives a request from the user display device for information of interest to that particular user and responds to such an information request (Farber 5:1-9). Furthermore, the Dodson reference is directed to searching for requested information via the Internet. Both the Farber and Dodson references relate to searching and returning of information to a user for display.

Furthermore, regarding claim 25, in response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge

gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). In this case the knowledge which was within the level of ordinary skill at the time the claimed invention was made to modify the Dodson et al. keyword search with the Farber et al. profile database for the purpose of providing targeted information to the user that are directed towards his/her preferences. So that users of the system may receive search results tailored towards their specific preferences.

As to claim 26, Applicant argues that the “priority” of the Brodsky patent is not a “code” as recited in the claims. Specifically, Applicant argues “the Brodsky patent describes ‘only search[ing] for items or words assigned with at least a moderately high priority level, and actually retrieve information only for items or words assigned with a higher priority level than that of the moderately high priority level’... This priority cannot be equated to a code that ‘assists in the searching of the network for information relating to the keyword’... the Brodsky patent does not ‘assist in the searching’ but instead defines whether to search” (Remarks, pg. 10). The examiner respectfully disagrees. As cited in the previous Office Action, the Brodsky reference discloses preprocessing of key words representing potential user requests, decreases system response time when such a request is subsequently made. Preprocessing is desirably performed in conjunction with the priorities of particular items or words. It may only search for items or words assigned with at least a moderately high priority level, and actually retrieve information only for items or words assigned with a higher priority level than that of the moderately high priority level (Brodsky 6:3-11). Such preprocessing of potential user requests reduces the time necessary for a user to access desired information and clearly “assists in the searching.” Applicant further argues the Brodsky patent does not teach or suggest “receiving a code included

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with the keyword.” However, the examiner respectfully disagrees, the Brodsky reference discloses the priority is included with the keyword. Particularly, the Brodsky reference discloses “[a] high priority may be assigned to words identifying the program itself. Some of this information may be captured directly from the visual or audio part of the signal. It may also be captured from imbedded parts of the signal, such as closed caption text transmitted in video vertical blanking intervals” (Brodsky 5:48-63).

2. Applicant's arguments filed 11/02/2004 regarding claims 45-47 have been fully considered but they are not persuasive. Please see the above discussion of claim 26.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 37 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Particularly, claim 37 the limitation “bookmarking the keyword” contradicts the limitations “selecting at least a portion of the video image; and sending over the network the bookmarked keyword associated with the portion of the video image in response to the selecting of the portion of the video image.” Bookmarking the keyword precludes sending over the network the bookmarked keyword upon selection of the portion of the video image. However, for the purpose of an art rejection, the claimed “selecting at least a portion of the video image; and sending over the network the bookmarked keyword associated with the portion of the video image in response to the selecting of the portion of the video image” will be interpreted to read,

or selecting at least a portion of the video image; and sending over the network the keyword associated with the portion of the video image in response to the selecting of the portion of the video image

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 21-23 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Rice (US 6,486,891 B1).

As to claim 21, note the Dodson et al. reference that discloses a system and method for interactively accessing program information on a television. The claimed "receiving content comprising a video image over a first channel" is met by a television being turned on to receive a television channel that displays television programming (Dodson 3:59-64). The claimed "receiving a keyword associated with the video image over a second channel" is met by automatic search terms to be searched may be obtained through a program guide database directly accessible at the cable company's location by using such devices as an internet interface or telephone line (Dodson 3:7-28). The claimed "requesting a search of a network for information relating to the keyword" is met by search query is sent to the Internet (Dodson 4:28-34). The claimed "receiving the information relating to the keyword" is met by "[i]f the user elects to begin search, a new overlay 400 appears over the program. The overlay 400 includes a list of hits based on the search terms...the user may select one of the hits to view the text

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associated with the hit” (Dodson 3:41-49). Also note, the Dodson et al. reference discloses “a method according to the present invention for saving [bookmarking] the results of an Internet search which can be initiated for search terms which are automatically generated” (Dodson 5:11-34). However, the Dodson et al. reference is silent as to bookmarking the keyword. Now note the Rice reference that discloses automated bookmarking of online advertisements. The Rice reference discloses allowing a user to either directly link to an advertiser’s website or bookmark the link for access at a later time (Rice 2:41-59). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson keyword search linked to the Internet with the Rice bookmarking of links for later retrieval for the purpose for allowing interested users to access additional information at a more convenient time if they prefer not to interrupt currently displayed content (Rice 6:22-33). The claimed “bookmarking the keyword” is met by the Dodson et al. and Rice combination as set forth above.

As to claim 22, the claimed “displaying the video image” is met by the display of programming on a TV display (column 2, lines 47-64). The claimed “displaying the keyword” is met by the display of automatic search terms associated with the television program (column 3, lines 7-28).

As to claim 23, please see rejection of claim 21.

As to claim 27, note the Dodson et al. reference discloses receiving video programming over a broadcast channel and epg information via an Internet interface. However, the Dodson et al. reference is silent as to the specific transmission media used for Internet communications. Nevertheless, the examiner submits that it is notoriously well known in the art to transmit epg

information on a broadcast medium for the purpose of making electronic program guide information readily accessible to a user without requiring the use of a separate communication medium. Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. epg access accordingly for the above stated

As to claim 28, the claimed "further comprising the step of displaying the video image" is met by the display of programming on a TV display (column 2, lines 47-64).

6. Claims 24, 29-30, 37, 39-41, and 43-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Rice (US 6,486,891 B1) and Portuesi (US 6,499,057).

As to claim 24, the claimed further comprising the step of displaying the keyword associated with the video image in response to a selection of the video image. The Dodson et al. (US 6,184,877 B1) reference discloses a method for interactively accessing program information on a television, the method comprising receiving a search request regarding a television program; displaying at least one search term overlaid on a program being received by the television; searching the Internet for requested information; obtaining a result of the search; and saving the result in a memory coupled with the television (column 1, lines 63-67; column 2; lines 1-3). The Dodson et al. reference provides an overlay for a user to select automatic search terms that may be derived in various ways as well as add additional search terms (column 3, lines 8-40). However, the Dodson et al. reference does not disclose displaying the keyword embedded in the video image in response to a selection of the video image. The Portuesi reference discloses display window 28 can include a caption 34 which provides a description of the area within



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display window 28 over which a pointing device, such as a mouse pointer, is positioned. For example, if the pointing device is positioned over hypertext link 22, caption 34 can provide a name for link 32 or provide the actual URL (Portuesi 6:22-27). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. method of viewing keywords with the Portuesi display of keywords when a portion of an image is selected for the purpose of making keywords readily available to the user in addition to providing a more intuitive method of indicating the keyword for an associated item of interest.

As to claim 29, the claimed further comprising the step of selecting the video image. See rejection of claim 24.

As to claim 30, the claimed further comprising the step of displaying the keyword in response to the selecting of the video image. See rejection of claim 24.

As to claim 37, note the Dodson et al. reference that discloses a system and method for interactively accessing program information on a television. The claimed "displaying a video image that was received over a first channel" is met by the display of programming received on a currently tuned channel (column 3, lines 57-67). The claimed "receiving a keyword over a second channel" is met by automatic search terms to be searched may be obtained through a program guide database directly accessible at the cable company's location by using such devices as an internet interface or telephone line (column 3, lines 7-28). However, the Dodson et al. reference does not disclose selecting a portion of a video image and or, and sending over the network the keyword associated with the portion of the video image in response to the selecting of the portion of the video image. The Portuesi reference discloses display window 28 can

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include a caption 34 which provides a description of the area within display window 28 over which a pointing device, such as a mouse pointer, is positioned. For example, if the pointing device is positioned over hypertext link 22, caption 34 can provide a name for link 32 or provide the actual URL (Portuesi 6:22-27). "In response to activation by the user, the embedded uniform network resource locator is followed to retrieve a resource addressed by the embedded uniform network resource locator" (Portuesi 2:52-55). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword display with the Portuesi display window and caption for the purpose of providing a method of making keywords more readily available to the viewer in addition to a more intuitive method of identifying keywords associated with a desired object. Also note, the Dodson et al. reference discloses "a method according to the present invention for saving [bookmarking] the results of an Internet search which can be initiated for search terms which are automatically generated" (Dodson 5:11-34). However, the Dodson et al. reference is silent as to bookmarking the keyword. Now note the Rice reference that discloses automated bookmarking of online advertisements. The Rice reference discloses allowing a user to either directly link to an advertiser's website or bookmark the link for access at a later time (Rice 2:41-59). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson keyword search linked to the Internet and Portuesi embedding in video with the Rice bookmarking of links for later retrieval for the purpose for allowing interested users to access additional information at a more convenient time if they prefer not to interrupt currently displayed content (Rice 6:22-33). The claimed "bookmarking the keyword" is met by the Dodson et al. and Rice combination as set

forth above. Further note the Dodson et al. reference discloses a method for interactively accessing program information on a television, the method comprising receiving a search request regarding a television program; displaying at least one search term overlaid on a program being received by the television; searching the Internet for requested information; obtaining a result of the search; and saving the result in a memory coupled with the television (column 1, lines 63-67; column 2; lines 1-3). The claimed "sending over a network the keyword associated with the portion of the video image in response to the selecting of the portion of the video image" is met by the Dodson and Portuesi, combination as set forth above wherein the Dodson searching [sending a keyword over a network] is performed when a selects a portion of the video image corresponding to a keyword.

As to claim 39, the claimed further comprising the step of displaying the keyword associated with the portion of the video image in response to the selecting of the portion of the video image. The Dodson et al. (US 6,184,877 B1) reference discloses a method for interactively accessing program information on a television, the method comprising receiving a search request regarding a television program; displaying at least one search term overlaid on a program being received by the television; searching the Internet for requested information; obtaining a result of the search; and saving the result in a memory coupled with the television (column 1, lines 63-67; column 2; lines 1-3). The Dodson et al. reference provides an overlay for a user to select automatic search terms that may be derived in various ways as well as add additional search terms (column 3, lines 8-40). However, the Dodson et al. reference does not disclose displaying the keyword embedded in the video image in response to a selection of the video image. The Portuesi reference discloses display window 28 can include a caption 34

which provides a description of the area within display window 28 over which a pointing device, such as a mouse pointer, is positioned. For example, if the pointing device is positioned over hypertext link 22, caption 34 can provide a name for link 32 or provide the actual URL (Portuesi 6:22-27). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. method of viewing keywords with the Portuesi display of keywords when a portion of an image is selected for the purpose of making keywords readily available to the user in addition to providing a more intuitive method of indicating the keyword for an associated item of interest.

As to claim 40, the claimed “wherein the keyword is embedded in the video image” is met by the Dodson et al. and Portuesi combination wherein the embedding of the keyword in the video image is inherent to the successful display of keywords by selection of a portion of the video image, see rejection of claim 37.

As to claim 41, the claimed “further comprising the step of receiving over the network information relating to the keyword” is met by the obtaining of internet query search results for display to a user (column 4, lines 52-65).

As to claim 43, the claimed “wherein the keyword is embedded in the video image” is met by the Dodson et al. and Portuesi combination wherein the embedding of the keyword in the video image is inherent to the successful display of keywords by selection of a portion of the video image, see rejection of claim 37.

As to claim 44, the claimed “further comprising the step of searching a network for information relating to the keyword” is met by the Dodson et al. internet search query (column 4, lines 52-59).

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7. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Rice (US 6,486,891 B1) and Farber et al. (US 5,819,284).

As to claim 25, the claimed wherein the received information relating to the keyword is based up a user profile. The Dodson et al. reference discloses search results are conveyed to a user wherein the query may be limited to a program category, such as sports or movies, to limit the number of hits to a reasonable number (column 4, lines 52-65). However, the Dodson et al. reference does not disclose the use of a user profile. The Farber et al. reference discloses user profile database 174 contains information for each user of the system, specifying (a) the categories or types of information services that are to be provided to that user, and (b) for those information services, the parameters that are associated with the desired information. For example, a first user may desire traffic, financial and sports information, a second user may desire weather and news information, and a third user may desire traffic, news and weather. For each of these three users, the detailed information desired may be different. Thus, the first user may desire traffic information for certain roadways, financial information for certain securities, and sports information for particular teams (Farber et al. 4:43-55). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword search with the Farber et al. profile database for the purpose of providing targeted information to the user that are directed towards his/her preferences.

8. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Rice (US 6,486,891 B1) and Brodsky (US 5,809,471).

As to claim 26, note the Dodson et al. reference discloses the providing of automatic search terms to facilitate the search of program related content over a network. However, the Dodson et al. reference is silent as to keywords containing a code that assists in the searching of the network. Now note the Brodsky reference that discloses it may be desirable to allow the setting of priorities for all 'items' and/or 'words'. Priorities may be set so that certain application relevant 'items' or 'words' are kept a longer than ordinary duration, or even for the whole length of the program being watched (Brodsky 5:48-52). The Brodsky reference also discloses preprocessing of key words representing potential user requests, decreases system response time when such a request is subsequently made. Preprocessing is desirably performed in conjunction with the priorities of particular items or words. It may only search for items or words assigned with at least a moderately high priority level, and actually retrieve information only for items or words assigned with a higher priority level than that of the moderately high priority level (Brodsky 6:3-11). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword with the Brodsky et al. prioritized keywords for the purpose of providing information that more closely matches the search request in terms of user interest and relevancy.

9. Claims 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Portuesi (US 6,499,057)..

As to claim 31, note the Dodson et al. reference that discloses a system and method for interactively accessing program information on a television. The claimed "displaying a video image that was received over a first channel" is met by the display of programming received on a currently tuned channel (column 3, lines 57-67). The claimed "receiving a keyword associated

with the video image over a second channel” is met by automatic search terms to be searched may be obtained through a program guide database directly accessible at the cable company’s location by using such devices as an internet interface or telephone line (column 3, lines 7-28). However, the Dodson et al. reference does not disclose selecting a portion of a video image and displaying a keyword associated with the portion of the video image in response to the selecting of the portion of the video image. The Portuesi reference discloses display window 28 can include a caption 34 which provides a description of the area within display window 28 over which a pointing device, such as a mouse pointer, is positioned. For example, if the pointing device is positioned over hypertext link 22, caption 34 can provide a name for link 32 or provide the actual URL (Portuesi 6:22-27). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword display with the Portuesi display window and caption for the purpose of providing a method of making keywords more readily available to the viewer in addition to a more intuitive method of identifying keywords associated with a desired object. The claimed “embedding the keyword in the video image” is met by the Dodson et al. and Portuesi combination wherein the embedding of the keyword in the video image is inherent to the successful display of keywords by selection of a portion of the video image.

As to claim 32, the claimed “sending the keyword over a network” is met by the derivation of automatic search terms by access to a program guide database via an internet interface (column 3, lines 8-28).

As to claim 33, the claimed “further comprising the step of receiving over the network information relating to the keyword” is met by user receiving the results of an Internet search query (column 4, lines 52-65).

As to claim 34, the claimed “further comprising the step of searching a network for information relating to the keyword” is met by a query being sent to the Internet for a search (column 4, lines 52-65).

10. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Portuesi (US 6,499,057) and Farber et al. (US 5,819,284).

As to claim 36, the claimed “sending the keyword over a network” is met by the automatic search terms being derived from a program guide database wherein the program guide database is accessed via an internet interface (column 3, lines 8-28). The claimed “receiving over the network information relating to the keyword” is met by the obtaining of an internet search query for display to a user (column 4, lines 52-65). However, the Dodson et al. reference does not disclose the use of a user profile. The Farber et al. reference discloses user profile database 174 contains information for each user of the system, specifying (a) the categories or types of information services that are to be provided to that user, and (b) for those information services, the parameters that are associated with the desired information. For example, a first user may desire traffic, financial and sports information, a second user may desire weather and news information, and a third user may desire traffic, news and weather. For each of these three users, the detailed information desired may be different. Thus, the first user may desire traffic information for certain roadways, financial information for certain securities, and sports information for particular teams (Farber et al. 4:43-55). Therefore, the examiner submits that it



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would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword search with the Portuesi hot spots and the Farber et al. profile database for the purpose of providing targeted information to the user that are directed towards his/her preferences.

11. Claims 38, is rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Portuesi (US 6,499,057), Rice (US 6,486,891 B1), and Brodsky (US 5,809,471).

As to claim 38, note the Dodson et al. reference discloses the providing of automatic search terms to facilitate the search of program related content over a network. However, the Dodson et al. reference is silent as to keywords containing a code. Now note the Brodsky reference that discloses it may be desirable to allow the setting of priorities for all 'items' and/or 'words'. Priorities may be set so that certain application relevant 'items' or 'words' are kept a longer than ordinary duration, or even for the whole length of the program being watched (Brodsky 5:48-52). The Brodsky reference also discloses preprocessing of key words representing potential user requests, decreases system response time when such a request is subsequently made. Preprocessing is desirably performed in conjunction with the priorities of particular items or words. It may only search for items or words assigned with at least a moderately high priority level, and actually retrieve information only for items or words assigned with a higher priority level than that of the moderately high priority level (Brodsky 6:3-11). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword search with the

Brodsky et al. prioritized keywords for the purpose of providing information that more closely matches the search request in terms of user interest and relevancy.

12. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Portuesi (US 6,499,057), Rice (US 6,486,891 B1), and Farber et al. (US 5,819,284).

As to claim 42, note the Dodson et al. reference discloses the obtaining of an internet search query for display to a user (column 4, lines 52-65). However, the Dodson et al. reference does not disclose the use of a user profile. The Farber et al. reference discloses user profile database 174 contains information for each user of the system, specifying (a) the categories or types of information services that are to be provided to that user, and (b) for those information services, the parameters that are associated with the desired information. For example, a first user may desire traffic, financial and sports information, a second user may desire weather and news information, and a third user may desire traffic, news and weather. For each of these three users, the detailed information desired may be different. Thus, the first user may desire traffic information for certain roadways, financial information for certain securities, and sports information for particular teams (Farber et al. 4:43-55). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword search with the Portuesi hot spots and the Farber et al. profile database for the purpose of providing targeted information to the user that are directed towards his/her preferences.

13. Claims 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Brodsky (US 5,809,471).

As to claim 45, note the Dodson et al. reference that discloses a system and method for interactively accessing program information on a television. The claimed "receiving content comprising a video image over a first channel" is met by a television being turned on to receive a television channel that displays television programming (column 3, lines 59-64). The claimed "receiving a keyword associated with the video image over a second channel" is met by automatic search terms to be searched may be obtained through a program guide database directly accessible at the cable company's location by using such devices as an internet interface or telephone line (column 3, lines 7-28) to an Internet search query. However, the Dodson et al. reference is silent as to keywords containing a code that assists in the searching of the network. Now note the Brodsky reference that discloses it may be desirable to allow the setting of priorities for all 'items' and/or 'words'. Priorities may be set so that certain application relevant 'items' or 'words' are kept a longer than ordinary duration, or even for the whole length of the program being watched (Brodsky 5:48-52). The Brodsky reference also discloses preprocessing of key words representing potential user requests, decreases system response time when such a request is subsequently made. Preprocessing is desirably performed in conjunction with the priorities of particular items or words. It may only search for items or words assigned with at least a moderately high priority level, and actually retrieve information only for items or words assigned with a higher priority level than that of the moderately high priority level (Brodsky 6:3-11). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword with the Brodsky et al. prioritized keywords for the purpose of providing information that more closely matches the search request in terms of user interest and relevancy.

As to claim 46, please see rejection of claim 45.

As to claim 47, note the Dodson et al. and Brodsky combination teach a keyword comprising a priority code. However, the Dodson et al. and Brodsky references are silent as to a priority code comprising a numerical tag. Nevertheless, the examiner gives Official Notice that it is notoriously well known in the art to prioritize data using numerical values such as the rankings for the purpose of providing a well known and easily understandable hierarchy for ordering data by importance. Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. and Brodsky combination accordingly for the above stated advantages.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The Goldschmidt Iki et al. reference (US 6,601,103 B1) discloses a method and apparatus for providing personalized supplemental programming.

The Feinleib reference (US 2004/0040042 A1) discloses a system and method for synchronizing enhancing content with a video program using closed captioning. The claimed embedding in the video image is met by "[t]he parser then retrieves the hyperlink [www.greetingcardco.com](http://www.greetingcardco.com), which is associated with the phrase, from the data structure 62. The client can now use the supplemental data to activate an enhancing action which enhances the primary content, such as displaying the hyperlink on the screen along with the primary content" (Feinleib [0093]). Also note the Feinleib reference discloses primary programming may be

received over a first communication channel (Feinleib [0030-0032]) and enhancing content over a second communication channel (Feinleib [0034]).

The Lu et al. reference (US 6,640,337) discloses a DTV, after receiving the set of (x, y) coordinates, converts these coordinates to position data relative to the smart EPG controller's data space, e.g., screen position data. The smart EPG controller accumulates this position data to form lines, strokes or other suitable data structures suitable for input to the character recognition routine. Any characters recognized will be applied to the search engine of the smart EPG controller, and any exact or approximate matches, depending on the viewer's preferences, will be displayed as search results on the DTV.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnny Ma whose telephone number is (703) 305-8099. The examiner can normally be reached on 8:00 am - 5:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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